

limitation "the body portion" in line 2 lacks sufficient antecedent basis. Claim 29 is amended to overcome the Examiner's rejection.

Claim Rejections Under 35 U.S.C. §102 and §103

Claims 1 and 25:

The Examiner rejected Claim 1 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,654,873 (Smithson et al.). The Examiner rejected Claim 25 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,751,551 (Hileman et al.). Applicants respectfully traverse the Examiner's rejections.

Applicants have amended independent Claims 1 and 25 to distinguish the present invention over the cited references. Amended Claims 1 and 25 recite, inter alia:

"... a retaining portion adjacent a front side of the first hard drive and connecting a front end of the first rail to a front end of the second rail, the retaining portion comprising a top plate and a bottom plate;

a first notch provided on a first interior side of the first drive bay;

a handle rotatably connected to the retaining portion of the first drive chassis and between the top plate and the bottom plate, the handle having a first end and a second end distal from the first end, said handle being rotatable about an axis perpendicular to the top and bottom plates and located between the first and second ends of the handle, said handle defining a closed position in which the first end of said handle is a first distance from the front end of the first rail of the first drive assembly, and said handle defining an open position in which the handle is rotated about the axis such that the first end of the handle is a second distance from the front end of the first rail of the first drive assembly, the first distance being less than the second distance; ..."

The cited references neither individually nor in combination disclose, suggest, or teach the above-quoted limitations of amended Claims 1 and 25. None of the references disclose a "retaining portion comprising a top plate and a bottom plate" and a "handle rotatably connected to the retaining portion . . . between the top plate and the bottom plate."

Further, the lever disclosed by Smithson et al. has a utility that would be destroyed if the lever is modified in accordance to the teachings of Hileman et al. That is, modifying the lever of Smithson in view of Hileman would require that one end of the lever disengage and pivot about an axis away from the drive assembly. Such a modification would make it

LAW OFFICES OF
SKJERVEN MORRILL
MACPHERSON LLP

25 METRO DRIVE
SUITE 700
SAN JOSE, CA 95110
(408) 453-9200
FAX (408) 453-7979

P

impossible to use the lever as a "carrying handle" as taught by Smithson et al. (Smithson et al., col. 2, line 67 to col. 3, line 2). Thus, Applicants respectfully submit that combination of Smithson et al. and Hileman et al. is improper. Accordingly, reconsideration and allowance of Claims 1 and 25 are requested.

Claims 2-18 and 21-24 depend from and further limit Claim 1 and are therefore allowable on the same basis as Claim 1. Claims 26-32 depend from and further limit Claim 25 and are therefore allowable on the same basis as Claim 25.

Claim 33:

The Examiner rejected Claims 33-39 under 35 U.S.C. §102(b) as being anticipated by Lee. Applicants respectfully traverse the Examiner's rejections. The Examiner has stated:

"Lee teaches a clip comprising:

a clip body (30, fig. 3)

a stabilized projection (30b, fig. 3) attached to a top portion of the clip body, extending to an exterior of a computer case (12, fig. 1) having first and second slots,

a first and a second flanges (30a, fig. 5) attached to sides of the clip body,

a mounting bracket (26, fig. 5) being provided for each of extension cards."

Applicants respectfully disagree. Claim 33 recites, "[a] clip for retaining expansion boards on a computer system, comprising:

a clip body;

a stabilizing projection attached to a top portion of the clip body, adapted to be mounted on a computer case such that said stabilizing projection extends to an exterior of the case and the clip body extends to an interior of the case; and

a first flange attached to a side of the clip body and adapted to abut a first expansion board, thereby preventing horizontal movement of the first expansion board."

Member 30 illustrated in FIG. 3 of Lee is not a clip. Member 30, in accordance to Lee is a "cover member 30" (col. 3, lines 64-65) having a "protrusion 30b" (col. 4, lines 20-23).

B

The cover member 30 is adapted to cover a top portion of a "receptacle 16" configured to receive a plurality of expansion boards. Protrusion 30b mates with an aperture 16b in receptacle 16 so that "the cover member 30 can maintain its joined position with the receptacle 16." (col. 4, lines 17-30).

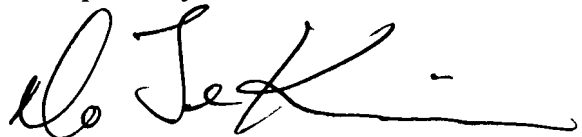
Lee fails to teach a clip with "a stabilizing projection . . . such that said stabilizing projection extends to an exterior of" a computer case. Lee, in fact, teaches away from a projection that "extends to an exterior" of a computer. According to Lee, as illustrated in FIGS. 5-7, cover member 30 is inserted inside a computer case and no portions thereof extend to the exterior of the computer case. Accordingly, reconsideration and allowance of Claim 33 is requested. Furthermore, Claims 34-39 depend from and further limit Claim 33 and are therefore allowable on the same basis as Claim 33.

CONCLUSION

Applicants respectfully submit that Claims 1-18 and 21-39 are allowable. Should the Examiner wish to discuss this case, the Examiner is invited to contact the undersigned at (949) 718-5200.

EXPRESS MAIL LABEL NO:
EV004868573US

Respectfully submitted,



Do Te Kim
Attorney for Applicants
Reg. No. 46,231

LAW OFFICES OF
SKJERVEN MORRILL
MACPHERSON LLP

25 METRO DRIVE
SUITE 700
SAN JOSE, CA 95110
(408) 453-9200
FAX (408) 453-7979

